## EXHIBIT 10

Toby Cole June 28, 2022

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1
                    UNITED STATES DISTRICT COURT
                               FOR THE
 2
                      WESTERN DISTRICT OF TEXAS
 3
     LA UNION DEL PUEBLO
                                 S
 4
     ENTERO, ET AL.
                                 §
                                 S
 5
          Plaintiff
                                 S
                                 §
                                    Civil Action No.
                                    5:21-cv-00844-XR
 6
     V.
                                 §
                                 S
 7
     GREGORY W. ABBOTT, ET
                                 §
                                 §
     AL.
 8
                                 S
          Defendant.
                                §
 9
10
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12
13
                         ORAL DEPOSITION OF
                              TOBY COLE
14
                           JUNE 28, 2022
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16
          ORAL DEPOSITION OF TOBY COLE, produced as a witness
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18
     at the instance of the Defendant and duly sworn, was
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     taken in the above styled and numbered cause on Tuesday,
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     June 28, 2022, from 9:16 a.m. to 10:42 a.m., before
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     DONNA QUALLS, Notary Public in and for the State of
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     Texas, by computerized stenotype machine, at the offices
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     of Cole Law Firm, 1616 South Voss Road, Houston, Texas,
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     pursuant to the Federal Rules of Civil Procedure and any
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     provisions stated on the record or attached hereto.
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1 whoever helps me could be violating that. I could be putting them in trouble. SB 1 has restricted the 2 ability for people to vote, and that is even harder on 3 4 people with disabilities. 5 So let's talk about some of the provisions of 0. Senate Bill 1. This will be marked as Exhibit 2. 6 7 (Exhibit No. 2 was marked.) 8 (BY MR. WASSDORF) Let's turn to page 52. Ο. 9 are looking at Section 6.04 of the bill. So that starts 10 on line 20. 11 Now, this is the oath provision that you've 12 discussed just a moment ago. So could you go ahead and 13 read through that. I believe it starts on line 20 of 14 page 52 and continues through line 14 on page 53. Section 6.04 --15 Α. 16 You don't have to read it out loud. 0. 17 Oh, got it. Α. 18 O. Just familiarize yourself with, and then we can 19 discuss. 20 (Witness complies.) Okay. Α. 21 Now, Section 6.04 here, it doesn't impose a 0. 22 specific requirement on voters themselves, does it? 23 I don't understand what you mean. Α. 24 This provision is about the oath, and the Q. 25 assister must take. But it does not impose any

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1 requirement on the voter themselves. It absolutely does. 2 Α. 3 0. How so? 4 Because I have to pick the assister. I have to Α. 5 have an assister that is willing to take this oath, and 6 I have to have an assister that's willing to be subject 7 of prosecution if something of this oath goes amiss. 8 absolutely it definitely put an onerous on me. 9 So can you -- in this provision in the language 10 of the oath, can you point out specifically what 11 sections that you believe harm you? 12 Well, let's -- let's start with "I swear or Α. 13 affirm under penalty of perjury, "right? So when we 14 started my deposition, what did you remind me of? 15 0. That you were under oath. 16 Α. That I was under oath under the penalty of 17 perjury, right? And how many times have you taken a 18 deposition or I've taken a deposition where halfway 19 through the deposition you remind the witness that it is 20 the penalty of perjury and that they can go to jail and 21 that -- and that this is something that could put them 22 in harm's way. And this is not for those folks to vote. 23 This is so that person can help me. So, yeah, that 24 right there -- that right there is very difficult. 25 I mean, do you believe that someone taking this Q.

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1 issue because I can't vote the way I vote now. So I did 2 it, but I shouldn't have. My misunderstanding of what Senate Bill 1 was was not good. 3 4 And do you believe that is going to prevent you from voting in the future? 5 6 Yes, absolutely. Α. 7 Are you still going to try? 0. 8 If I can. But I don't know. I mean, do I --Α. 9 am I going to put somebody in legal jeopardy? I got to 10 make that decision. Do I lose my right to vote, or do 11 I -- do I expose somebody to committing a felony? 12 kind of a shitty choice. Okay. I think that's it for 13 MR. WASSDORF: 14 Pass the witness. me. 15 THE WITNESS: Okay. 16 I don't have any questions. MS. DAVIS: 17 MS. PAIKOWSKY: None for me. 18 THE REPORTER: Off the record at 10:41. 19 (Proceedings adjourned at 10:42 a.m.) 20 21 22 23 24 25